

Village Council  
January 19, 2009  
6:30 PM  
AGENDA  
Minutes

Call to Order: Mrs. Rush-Ekelberry called the meeting to order at 6:33pm.

Roll Call: John Bender, Rick Deeds, Steve Donahue, Bobbie Mershon, Marilyn Rush-Ekelberry, Leah Turner, James Wynkoop

Purpose of the Public Hearing: To hear public comments on two rezoning requests for properties located on West Waterloo Street:

1. **ZA 09-06** filed by Beth Bayless, owner and applicant, to rezone 485 West Waterloo Street from Low Density Residential (R-3) to Neighborhood Commercial (NC)
2. **ZA 09-07** filed by Ken Heiberger, applicant representing 460 Waterloo LLC, property owner, to rezone 458-464 West Waterloo Street from Limited Manufacturing (LM) to Neighborhood Commercial (NC).

The Planning and Zoning Commission at their November 9, 2009 hearing recommended approval of both applications.

Presentation to Council:

**Staff Report:**

**ZA 09-06** Allan Neimayer presented a slide show representing the property in question. The Neighborhood Commercial district is designed to encourage the clustering of small, individual retail and personal service establishments to promote convenience and serving the daily staple needs of the surrounding area. This is an area that is transitioning from residential to more commercial. Public water and sewer is available along the front of the properties and can be tapped into. During the P&Z meeting there were questions about screening and potential uses. The permitted uses for Neighborhood Commercial are appropriate for this area. Mr. Neimayer showed the proposed appropriate screening on the slide presentation. Discussion ensued regarding the map.

**ZA 09-07** Mr. Neimayer presented a slide show representing the property in question. He reiterated that this is an appropriate use for the area. He showed the flood plain and flood way in which this property lies and opened it up for questions.

**Planning & Zoning Commission:**

**ZA 09-06** -Jim Knowlton stated that the P&Z Commission believes that this property will not be sold for a residential site; it is just not appropriate for this area. It is reasonable and seems to be the best use of the property. He suggests that Council let the re-zoning take place.

**ZA 09-07** - Mr. Knowlton stated that again this would allow for a greater use for this property and would be more in line with what we want for this area. It would also allow for the owner to use more of the property.

**Property Owners:**

**ZA 09-06** - Mrs. Bayless remarked that Mr. Neimayer has done a great job portraying her situation and has nothing further to add.

**ZA 09-07** –Mr. Heiberger noted that the reason that he would like it to be re-zoned is so they can expand some retail areas. Under LM, only 25% is allowed for retail and they are already maxed out with the Super Suppers and the fitness business. This would allow a music teacher to come in and give private lessons.

Village Resident Comments:

(Five Minute Limit per Person)

None at this time.

Council Comments/Questions:

Mr. Deeds asked if the structures would remain on Mrs. Bayless' property. Mr. Neimayer stated it would depend on what type of business would want to locate there.

Dr. Bender and Mrs. Mershon will sponsor the legislations.

Adjournment

Mrs. Mershon moved to adjourn the meeting; seconded by Mrs. Turner.

**VOTE:**

**AYES**

Dr. Bender, Mrs. Mershon, Mr. Wynkoop  
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Donahue

**NAYS**

Motion carried. Time out 6:58pm